

**Honolulu High-Capacity Transit Corridor Project
Programmatic Agreement Between the Federal Transit Administration,
Hawaii State Historic Preservation Office and Advisory Council on
Historic Preservation**

**Section 106 Consulting Parties Meeting
PB Americas Office, 1001 Bishop Street, Suite 2400
Wednesday, September 2, 2009
10:00 a.m.**

Agenda

- A. Welcome and Introductions
- B. Meeting Purpose and Groundrules
- C. Agenda Review
- D. Opening Statements
 - a. OIBC
 - b. SHPD
 - c. ACHP
 - d. Working Group – HHF, NTHP, AIA Honolulu, NPS
 - e. Project Team
 - f. FTA
- E. Guiding Principles for Evaluating PA Elements
- F. Outstanding Elements and Issues
- G. Solution Finding Brainstorm on Outstanding Elements
- H. BREAK – Parties Confer
- I. Possibilities Discussion
- J. Next Steps

Telephone Access: 1-888-742-8686, ID 3784294

Outstanding Elements and Issues

1. Main Street
2. Certified Local Government
3. Delay to consult on resources to be studied.
4. Height of the line.
5. OIBC as invited signatory.
6. Definition of alternatives suitable for discussion.
7. Public access to database
8. Creative zoning
9. Humanities Program
10. Architectural Historian TOD/DPP
11. City's Project Timeline
12. Preservation Grant Program
13. Balance between documentation and other mitigation measures.
14. What is "cumulative" effects?
15. Pre-plan for potential discovery of remains – Will these be \$s? To implement? Degree of change in project plans possible.
16. OIBC – trust, credibility, assurances that concerns will be taken seriously.
17. Studies meant to inform decisions – should happen before decisions.
18. Information about potential alternatives should be part of this process.

September 2, 2009

MEMORANDUM

TO: Section 106 Consultation Process Participants

FROM: Leland Chang

SUBJECT: Notes From Today's Session

Aloha. I am forwarding the easel notes from this morning's session. Also, for folks who missed my introductory suggestions on a helpful approach to our discussions, I am including those notes, as well. I look forward to continuing our efforts together tomorrow.

Mahalo.

Outstanding PA Elements and Issues (in the order identified)

The group identified the following items as outstanding elements and issues -- items around which consensus may still be developed:

- a) Main Street program
- b) Certified Local Government
- c) Delay in executing the PA until after consultation on identifying resources to be studied
- d) Height of the line
- e) OIBC as an invited signatory
- f) Definition of alternatives suitable for discussion
- g) Public access to a well-developed database
- h) Creative zoning
- i) Humanities program
- j) Architectural historian on TOD/DPP staff
- k) City's overall project timeline
- l) Preservation grant program
- m) Balance between documentation and other mitigation measures
- n) What are "cumulative" effects?
- o) Pre-plan for potential discovery of remains -- Will these be funding to implement? Degree of change in project plans that will be possible when remains are discovered
- p) OIBC -- trust, credibility, assurances that concerns will be taken seriously
- q) Studies meant to inform decisions should happen before decisions are made
- r) Information about potential alternatives should be part of this process

The following suggestions are for the purpose of improving chances of a mutually satisfactory outcome:

- As you present and offer comments, recognize that when there are differences of opinions and positions, it is even more important to promote a sense of purposeful calm. It's fine to go hard on the issues but be easy on the people. As you listen, try to hear what's being said from the speakers' perspective.
- The approach will pretty much determine the outcome. If the approach is to stake out a position and to prevail at all costs, then there will likely be either no outcome or a very unbalanced one.

Collaboration requires people to actively seek solutions that allow all parties to satisfy their respective interests. Two questions need to be asked: What can the other parties do to meet my needs?; and What can I do to help them meet theirs? Creative thinking is welcome here.

- Acknowledge each other's interests. Look for areas where give and take are possible. Recognize where movement has occurred because each movement builds momentum toward resolving all outstanding issues.
- Keep in mind why you would want there to be a PA that everyone can live with and consider what may occur if no agreement is reached.
- Remain positive. When things look bleak, remember, you could be working on health care reform.

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Meeting Notes

- A. Welcome and Introductions [Leland Chang]
Thank you for your continued participation.
- B. Meeting Purpose and Groundrules [Leland Chang]
During this exchange today we want to remain purposeful and calm. We want to really listen to the other speakers so we can really hear what they have to say. Let us all ask ourselves these questions: "What can the other parties do to meet my needs?" and "What can I do to help the other parties meet their needs?" Let us all look for areas of compromise. Why do we want a Programmatic Agreement we can all live with?
- C. Agenda Review [Leland Chang]
- D. Opening Statements
 - a. OIBC [Hinaleimoana Falemei]
Thank you for the opportunity to participate in this process.
 - b. SHPD [Pua Aiu]
Define what is reasonable mitigation. Far apart at this point. Looking forward to resolution.
 - c. ACHP [Blythe Semmer]
Within the last hour or so a letter would have been received from ACHP to FTA – concerns focus on the PA. Perception in information flow and how the FTA regs apply to this project. Engaging in the process is key. Look forward to this in the discussions. See unresolved issues concluded as in general approach to mitigation before we move on to the specifics. The council rarely notifies the head of an agency during the consultation process. The ongoing consultation has prompted them to approach the agency head. Ensure that the goals of the process are clear and establish what measures will be taken to get information to and from the concerned parties. Encouraged that this meeting will allow some of these issues to be resolved.
 - d. Working Group – HHF, NTHP, AIA Honolulu, NPS [Frank Hays]

List of questions for FTA and what is their role and how would they approve this process. One coherent voice. Started thinking about direct impacts and public history and the ability to understand and appreciate the history of those sites along the corridor. Level of impacts; direct and indirect, establish talking points and present to group. Spencer (AIA) additional questions regarding where we are in the process – are we being pushed? FTA to answer their questions.

e. Project Team [Lawrence Spurgeon]

We have been listening and hearing a lot of input over the last month. Frustration as to why some questions have not been addressed. ACHP sent a letter to FTA on the process specifics. Background on how we arrived where we are today. Dec 2007 – APE concurrence (except for cultural landscape). Moving forward on the accepted APE. Cultural landscape studies and properties do indicate a larger APE than architectural and historic properties. Aug 2008 determination of eligible resources to all consulting parties and received input. Draft determination of effects Dec 2008 on the arch resources and that meeting led to a new study on historic effects which was sent out in April 2009. Represented all discussions to date on 22 resources and acknowledged the potential for cumulative effects on APE. 11 additional resources accepted for a total of 33. As the process went on, discussions continued with all groups. Trying to incorporate all concerns into this PA. Draft specific plans were rejected by SHPD as we needed flexibility to address concerns throughout the project life and do not want to limit the mitigation efforts. Phase-related mitigation.

[Faith Miyamoto] The latest copy of the PA includes all the information forged from the last few meetings. We are looking forward to a successful discussion.

f. FTA [Ted Matley]

Principles in their email. Requested to provide guidance. Distributed earlier this week. Important points: realize that there is a slim line between the mitigation effort and consideration of resources. Cannot commit to unsure/undefined impacts. Specific and immediate impacts of the project. Speculative impacts are not easily understood, therefore commitment to mitigation is not a

Have we identified an impact that is specific and direct to resources?

What role does the project really play in that impact?

What is the appropriate mitigation measure for the project's contribution to the impact?

General solutions are not usually adopted since they cannot specify the impact and solution as it relates to the actual effects.

DC folks - National Register properties. Looking for the connection between the mitigation measure proposed and the actual impact of the

project. FTA cannot provide funds for those broad solutions; that cannot be directly identified.

Policy on arts in transit. Displays that are indicative of historic effects and historic places as part of the transit project itself may be a bonafide expense for FTA.

- E. Guiding Principles for Evaluating PA Elements [Leland Chang]
Review of Handout "Stated Principles and Standards for Evaluation of PA Elements"
Discussion: AIA – What is the intention? We need some sort of yard stick to evaluate the measures.
We would like to look into additional alternatives. This could be part of the brainstorming session.
NTHP: Can we define appropriate use of project federal funds
ACHP: We should recognize that not all mitigation requires project funding.
Association of Hawaiian Civic Clubs: We want to focus on solutions
- F. Outstanding Elements and Issues
Please refer to Memorandum from Leland Chang on Notes from Today's Session
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Next meeting scheduled for tomorrow, Thursday, September 3, 2009.